

THE PLANNING BOARD
Town of Francestown
Francestown, New Hampshire 03043

May 4, 2010
PROPOSED MINUTES

Planning Board Members Present: Bob Lindgren – Chair, Mike Tartalis, Sarah Pyle, Ben Watson, Linda Kunhardt.

Members of the Public: Polly Freese, Russell Putnam, Molly Ferrara, Jonathan Springer, Audra Klumb, Shannon McManus, Charlie Pyle, Betsy Hardwick, Leigh Robinson.

Melissa Stewart is taking the minutes.

Chairman Lindgren brings the Planning board meeting to order at 7:05pm.

Election of Alternate Planning Board Members

Jennifer Vadney has submitted an application with interest in the 3yr alternate position. Jennifer works in Manchester for a non-profit organization.

Larry Johnson has submitted an application with interest in the 1yr alternate position.

Pyle moves to appoint Larry Johnson for a 1yr alternate position. Tartalis seconds, all in favor.

Pyle moves to appoint Jennifer Vadney for a 3yr alternate position. Tartalis seconds, all in favor.

Lindgren advises alternates that they will need to see Elaine at the Town Office to get sworn in prior to the next meeting.

Lindgren states that although the alternates are not voting they can sit with the board so that they can review the plans for the SBA Case.

Case # 10-SP-1 SBA Properties Inc./AT&T Mobility for a Wireless Communications Facility on Crotched Mountain.

A final application for Site Development approval from SBA Properties, Inc. and AT&T Mobility (Case# 10-SP-1) was formally submitted to the Board and, if accepted, will be reviewed this evening.

The subject property is 1 +/- acre as identified on Francestown Tax Map 7, Lot 1. The property is in the Rural district and is located at the summit of Crotched Mountain.

The applicant proposes to erect a personal wireless communications service facility pursuant to Sections 7.1.2(g) and 7.19 of the Francestown Zoning Ordinance, and Section V.P of the town's Site Development Regulations.

Site inspection was held on Sunday, May 2, 2010 at 1:00pm.

Lindgren recuses himself from the meeting and hands the meeting over to Vice Chair Sarah Pyle. Lindgren feels he should recuse himself as he was at several Zoning Board meetings and voiced opinions and gave feedback based on his work as a Conservation Committee member.

Pyle hands the meeting to Linda Kunhardt to go over the CRC review.

The CRC met on March 23, @ 8pm and the following 12 deficiencies were found.

- A1 - Seal and Signature required. - Now Satisfied on page C1 and C2.
- A6 - Complete Map legend - C2 and ES1 were incomplete. - Now Satisfied
- A11 - Name of all easement holders, PSNH was not listed - Now Satisfied, Listed on C1 and C2
- A17 - Setback Lines from Conservation Overlay District - Applicant states it is satisfied on C2 setback lines for Conservation Overlay districts, wetlands, vernal pools and steep slopes. C2 has note listed that setback is not needed as this wetland is less than 3,000sq ft. - Satisfied for CRC purposes, will be addressed during the hearing.
- A18 - Zone of property - Notes needed to be added stating that they are also within the Wetland and steep slope district. - Note was added to C2 - Satisfied
- A19 - Existing Natural Features, steep slopes - On C2 - Now Satisfied
- B4 - Landscape Plan - Submitted with new packet. - Waiver requested
- B9 - Fire Safety and Prevention Plan - Waiver Requested
- C2 - All Fees as specified.
- C3 - Copies of All federal and State Permits, NH DES Wetlands Permit - Received 2 copies of NEPA report, Natural Heritage Bureau dated April 2010, NHDES permit application. Waiver will be requested for the NHDES permit. SBA wetland scientist will submit letter stating it is not needed.
- C8 - Life Safety Code Compliance. - Letter from Francestown Fire Dept. - Satisfied
- C10 - Statement that Site is ready for Board to Inspect - Satisfied

Waivers requested

- B2 - Soils Data HISS - Watson moves to approve as requested, McNeil seconds, all in favor.
- B4 - Stormwater Drainage Plan - Still deficient, applicant agreed to table item until Chris Danforth member of the Conservation Commission reviews the plan.
- B6 - Circulation Plan - Watson moves to approve as requested, McNeil seconds, all in favor.
- B8- Snow Removal and Storage Plan - Watson moves to approve as requested, McNeil seconds. Watson, Pyle, Lindgren, Tartalis, McNeil in favor, Kunhardt opposed.
- B10 - Solid Waste Disposal Plan - Watson moves to approve as requested, McNeil seconds, all in favor.
- C6 - Pertinent Legal Documents/Performance Bond - Deficient at this time
- C9 - Road Agent Opinion - Watson moves to approve as requested, McNeil seconds, all in favor.

New Waiver Requests

- B3 - Landscape Plan - Remains Deficient
- B9 - Life Safety and Prevention Plan - Applicant will withdraw waiver and re-title letter they already provided to the board as a Life Safety and Prevention Plan.

Watson moves to accept as complete for purposes of the Public Hearing with understanding that deficiencies will be addressed before voting on final application, McNeil seconds, Watson, Tartalis, McNeil, Pyle in favor, Kunhardt opposed.

Pyle hands the meeting over to Johnathan Springer representative for SBA Properties Inc. ZBA has approved the application and placed significant restrictions on the applicant.

The applicant is proposing a 40' latis tower, and extending it to 100' to allow for additional carriers. Due to the increased tower height the compound size also needs to increase. ZBA approved the increase of the tower height as well as the compound with restrictions being set on the compound size and tower height.

Pyle asks the applicant to read the notice of decision. Springer states that if the board agrees he would like to submit copies of the ZBA's decision for the board members to read as it is lengthy and provide the board with an overview of the restrictions this evening.

Springer provides the board with plans showing the original proposal to ZBA and the amended plan per the ZBA's decision and recommendations.

Springer states that the plan shows an access trail for the public to keep them away from the compound, the path will follow around the proposed compound and they are proposing a wood chip based path per the recommendation of Chris Danforth at the time of the site walk. The applicant had originally proposed a 4' path however the Selectboard and Conservation Commission may lessen the width. Betsy Hardwick states that they feel 2 ½' - 3' is sufficient.

Applicant received a special exception for 2 wetland crossings. The applicant proposed timber mats, and the timber mats were approved. Timber mats are a large timber mat that just spans the wetland but does not lay within it. ZBA specified that a bond be posted per Planning Board specifications. Applicant originally had not planned for them to stay after construction but was willing to leave behind based on the ZBA's recommendation.

Springer states that the applicant must hire a taxonomist to ensure compliance and protection of the endangered plant species that have been identified at the base of the site.

A Gate is required on the property. On the site walk the Planning Board suggested moving the gate down lower on the access trail to a bottleneck section. The Selectman and Conservation Commission may approve that and they will have further discussion with them regarding the location.

A copy of the sediment and erosion control plan as shown on C1&2 will be provided for review by Chris Danforth.

Step Slope variance was approved from the ZBA. On sheet P1, cross sections are given of the slope with existing slopes for each area as well as proposed slopes. Proposed fill for area A is 2cy, very minimal impact. Area B has existing ledge face, bringing in 23cy fill and resulting grade will be 37%, area C proposed fill is 14cy. Area D proposed fill is 22cy. These are due to rock ledge that protrudes and it will help to soften the grade.

The existing access via the stairway crosses over a steep slope of approx 60 - 67% due to it being all rock and ledge. The applicant proposed an alternate route around stairway to access the compound. It does cross over 3 sections of steep slope, however the ZBA agreed to granted the variance over the steep slopes with restrictions. One concern was vehicular traffic, The ZBA did not want vehicular traffic of any kind. This will be a trail for foot traffic only. The Width was reduced to no wider than 8ft except for two corners not to exceed 12'. Construction equipment was permitted for 60 consecutive days only. Types of construction equipment and vehicles were limited and it is attached to the notice of decision as to what types of equipment and vehicles can access the site to construct the road. After the 60 day period only mini excavators and skidsteers, atvs and snowmobiles are allowed. The access Rd will be reclaimed back to a trail after construction is completed.

After the tower is extended it will carry AT&T and two additional carriers. Sheet Z1 shows a closer view of the existing compound. With a new 12'x20' shelter for AT&T, it is retaining the large rock, a small retaining wall around the corner near Area B will be installed. The tower will not be lit, all utilities are existing, no water or sewer are needed. There is no adverse impact on wilderness, critical habitat, Neeba or historic properties will not be affected by the applicant.

Audra Clumm is the wetland scientist and Clumm states she is available for any questions the board may have. Audra Clumm will contact DES and provide the board all they need to render a decision regarding A17 for the next meeting.

Tartalis asks about GVW and what vehicles/equipment can be hauled over the timber mats. A Loader and 1 ton are acceptable vehicles or backhoe loader.

Watson states that it was suggested that the board look at different points of the driveway on the site walk Sunday. Issue was brought up about the relative impact on the wetlands and if it would be preferable to gate in front of the wetlands or go below onto town land to keep away from the wetlands. Applicant will agree to put the gate wherever the board and town ask they just need to advise the applicant where they want it. Board has a short discussion regarding the options and opinions. Board feels best location for the gate would be Area A. Pyle would like more detail of the gate and passage for foot traffic, horses etc once location is finalized. Board requests that detail of gate be added to the plan.

Pyle requests that Charlie Pyle forward Melissa Stewart all documents from the ZBA and Stewart will forward them to the Planning Board members.

Springer requests feedback from the board regarding the trail around the tower site as well as the landscape. Springer would like to leave landscaping as it is and allow natural re-growth. There is limited planting ability due to the amount of rock. Pyle states that she would like the board to review the notice of decision and digest the information provided tonight so applicant can't hold the board to it. Applicant understands and agrees to discuss again at the next meeting.

Board requests that the applicant flag all trees by May 11, 2010 so that the board is able to walk the site again and have a clear understanding of what is being removed for trees on the Access Trail. Charlie Pyle states that the ZBA's wanted to ensure that the applicant reclaim the Access trail back to a footpath with vegetation. Kunhardt states that this may be a good time for the applicant to provide a landscape plan for the access trail that does need to be reclaimed back to a footpath post construction. The applicant is of the opinion that because traffic will be diminished to the site, it will reclaim quickly and therefore no landscape plan be needed. Hardwick did agree that things do grow up quickly.

Pyle requests that the Conservation Commission give a written opinion regarding the application before the next hearing.

Polly Freese would like to request that temporary fencing be placed in the endangered species area. Audra Clumm states that her fear in putting fencing around the area to be protected would draw people's attention to the area and they would then dig up and remove what everyone is trying to protect. The applicant will submit in writing that stakes and caution tape will be installed and maintained by the contractor during construction to ensure the area is protected.

Meeting is continued to June 15, 2010 at 7pm.

REVIEW OF MINUTES

Review of Minutes was continued to May 18th meeting.

ANNOUNCEMENTS AND COMMUNICATIONS:

Pyle will also forward the Notice of Decision for the Dennison pond site for AT&T.

Next meeting is May 18th at 7pm.

Meeting was adjourned at 9:26pm
Respectfully Submitted,
Melissa J. Stewart
Minutes Clerk